

## Message Text

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PAGE 01 MEXICO 04004 300100Z  
ACTION SCSE-00

INFO OCT-01 ARA-10 ISO-00 SCA-01 L-03 SSO-00 /015 W  
-----300102Z 039757 /22

O 300055Z MAR 77  
FM AMEMBASSY MEXICO  
TO SECSTATE WASHDC IMMEDIATE 1184

UNCLAS MEXICO 04004

EO 11652: N/A  
TAGS: CASC, PFOR, MX  
SUBJECT: ENABLING LEGISLATION ON TREATIES FOR THE  
TRANSFER OF OFFENDERS

REF: STATE 68759

1. EMBASSY HAS REVIEWED PRELIMINARY DRAFT (DATED 3/14/77)  
OF ENABLING LEGISLATION FOR TREATIES FOR THE TRANSFER OF  
OFFENDERS AND WISHES TO MAKE THE FOLLOWING COMMENTS.
2. EMBASSY WOULD WISH TO HAVE ABILITY, PREFERABLY FOR-  
MALIZED IN STATUTE, TO TRANSMIT REPORTS IN GIVEN CASES.  
SUCH REPORTS MIGHT RELATE TO ACCEPTANCE OF TRANSFER ITSELF  
AND TO FACTORS WHICH A PAROLE BOARD MIGHT WISH TO CONSIDER  
IN CARRYING OUT ITS FUNCTIONS. EMBASSY VIEWS THIS OF  
PARTICULAR IMPORTANCE DUE TO CONDITIONS IN MEXICO, PAR-  
TICULARLY USE OF AMERICAN PRISONERS FOR EXTORTION PURPOSES  
AND USUALLY HEAVY SENTENCES WHICH CAN BE IMPOSED UNDER  
MEXICAN LAW.
3. ALTHOUGH EMBASSY LEGAL ADVISER DOES NOT FORESEE PRO-  
BLEM, CONSUL GENERAL IS CONCERNED THAT ENABLING LEGISLATION  
BY INFERENCE OR OTHERWISE MAY PRECLUDE  
EMBASSY FROM CARRYING OUT FUNCTIONS THAT THEY REALISTI-  
CALLY HAVE TO CARRY OUT -- E.G. SECTION 4108 PROVIDES FOR  
THE ATTORNEY GENERAL TO DESIGNATE AN OFFICER OF A DEPART-

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MENT OTHER REPEAT OTHER THAN JUSTICE WHILE SEC. 4102  
(10) PERMITS DELEGATION OF AUTHORITY BY THE ATTORNEY  
GENERAL TO "OFFICERS OF THE DEPARTMENT OF JUSTICE."  
EMBASSY ANTICIPATES THAT EMBASSY AND CONSULAR OFFICERS  
MAY HAVE TO PLAY A VERY ACTIVE ROLE IN EXPEDITING PAPER-  
WORK WITHIN GOM AND IN MAINTAINING LIAISON BETWEEN GOM  
AND DEPARTMENT OF JUSTICE ON IMPLEMENTATION OF TREATY.

CONSUL GENERAL THUS SUGGESTS THAT LANGUAGE OF 4102 (10)  
REFLECT POSSIBLE DELEGATION TO OTHER DEPARTMENTS.

4. EMBASSY ASSUMES REVISION OF TITLE 18 WILL BE "SEC. 1  
" OF BILL AS SEC.'S 2-4 ARE SO DESIGNATED.

5. WHEN ENABLING LEGISLATION HAS BEEN SUBMITTED, EMBASSY  
WOULD APPRECIATE BEING SENT FINAL VERSION FOR TRANS-  
MISSION TO PRISONERS.

6. WHEN POSSIBLE, REQUEST DEPARTMENT POUCH COPY OF US/  
CANADIAN TREATY ON EXCHANGE OF PRISONERS. THOMPSON

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AGREEMENT DRAFT, LAW, AGREEMENTS, PRISONER EXCHANGE  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 30-Mar-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
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**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
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**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**Office:** ACTION SCSE  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
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**Page Count:** 2  
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**Reference:** 77 STATE 68759  
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**Review Exemptions:** n/a  
**Review Media Identifier:**  
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**Review Release Event:** n/a  
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**SAS ID:** 3139200  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** ENABLING LEGISLATION ON TREATIES FOR THE TRANSFER OF OFFENDERS  
**TAGS:** CASC, PFOR, MX, US  
**To:** STATE  
**Type:** TE  
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**Review Markings:**  
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